



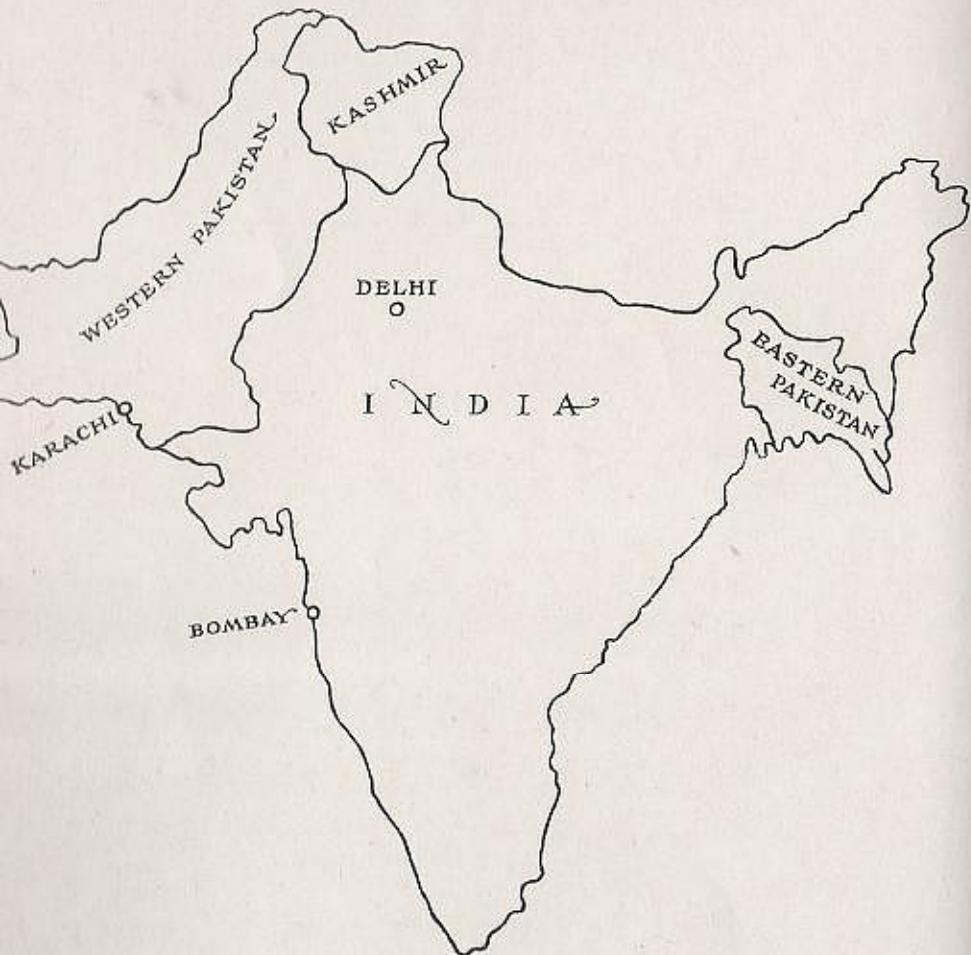
THE UNIVERSITY OF TEXAS AT AUSTIN

INDIA- PAKISTAN  
DISPUTE ON  
**KASHMIR**

EXTRACTS FROM THE SPEECH DELIVERED BY  
SIR MOHAMMAD ZAFRULLAH KHAN, K.C.S.I., Kt.,  
MINISTER OF FOREIGN AFFAIRS, PAKISTAN,

BEFORE THE SECURITY COUNCIL OF THE  
UNITED NATIONS ORGANIZATION  
ON JANUARY 16 AND 17, 1948

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BEFORE THE SECURITY COUNCIL



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It is not a pleasant position for a country to find itself being cited on the charge of being a potential disturber of international peace, but apart from that the issues involved are not merely legal and constitutional or even political. There is a very important human background which it will be necessary for the Security Council to appreciate before the members bring their minds to bear upon the concrete questions that need to be resolved and decided.

The reference that the representative of India has placed before the Security Council is confined to the matter of Kashmir. The reference that Pakistan has made embraces all the principal issues pending between the two countries that are likely, if not resolved, to lead to a disturbance of the peace. At this stage, I shall touch upon other matters only so far as they are relevant to a proper appreciation of the Kashmir question. I shall develop the rest of my case when its consideration is taken up by the Security Council.

#### WHY TWO STATES

It will be necessary to make a few preliminary observations on the genesis of the two states, India and Pakistan themselves, so that the background of the disputes between them, more particularly the dispute over Kashmir, should be properly appreciated.

Under the British, the sub-continent of India was divided into two parts: one was directly ruled by the British and was known as British India; the other was governed by Indian rulers and was known as the Indian States, over which the United Kingdom exercised suzerainty.

The distribution of population was roughly British India 75 percent and the Indian States 25 percent. This population was divided on the communal basis—again very roughly, in the proportion of three to one, three non-Moslems to one Moslem. The main non-Moslem group consists of Hindus. There is one small community, however,—small but very important—with which we shall be very largely concerned, and that is the Sikh community which numbers roughly 5,000,000.

The two main blocs—the Moslems and the non-Moslems—have, in most spheres of life, kept apart all through. The one outstanding cause is that the bulk of Hindu society is based upon the principles of caste and "touchability". Barring a very small proportion of Hindus who have been educated in the West or have been educated in India along Western lines, Hindu society is based upon these two ideas. You are born into a caste and you belong forever to that caste, and you cannot by any means change it. That is one doctrine.

#### NO SOCIAL RELATIONSHIPS

The other doctrine is that no member of the three upper castes—there is a fourth caste known as the depressed caste or submerged caste—that no member of the three upper Hindu castes, so long as he desires to remain an orthodox Hindu, may sit down to eat with or intermarry with, or carry on other normal social relationships with the members either of the submerged caste or of non-Hindu religions.

When the prospect of sharing in the exercise of political power drew near, each community began to take stock of the situation. The Moslems began to feel, as a result of the treatment they had received, that as, progressively, opportunities for the exercise of political power came into Indian hands, they were likely to be discriminated against, unless the Constitution provided some adequate safeguards.

The Government of India Act of 1935, which, before the Indian Independence Act of 1947 regulated the Constitution of India, was based upon a scheme of safeguards for the minorities. Under that Act, elections were held early in 1937, and in the seven provinces, in which the non-Moslems were in a majority, the Congress Party, which had obtained majorities in the elections, took office and formed Ministries, and they were in office from July 1937 until November 1939. During those two and a quarter years the Moslems—in certain Provinces at least—became progressively convinced that the scheme of safeguards contained in that Act had proved a failure in actual practice and was no more than a delusion. When the Congress Ministries in these provinces went out of office, the day was celebrated by the Moslems as "Deliverance Day". That shows how acute was the feeling between the two communities.

#### THE "PAKISTAN RESOLUTION"

As the result of the kind of experience to which I have alluded, a resolution was adopted at the annual session of the Moslem League in 1940, which has subsequently come to be known as the Pakistan Resolution. This resolution demanded that the Moslem majority areas in India should be permitted to form themselves into an independent sovereign state, leaving the rest of India free to form itself into one or more independent sovereign states.

Many attempts were made thereafter to bring about some sort of constitutional settlement, but they did not achieve any success. The Moslems felt that submission to Hindu domination, whether in a federation or in a unitary Indian state, would imperil their faith, culture, language and even their very existence, a fear that, alas, has turned out to have been only too well-founded—at least with reference to certain areas—since the middle of last year.

Eventually, after many efforts had been made and had proved fruitless, a scheme of constitutional settlement was adopted last year with the consent of the main political parties in India, which conceded the main demand of the Moslems that Moslem majority areas may be formed into one independent state and that the rest of the country might form itself into another independent state.

#### THE SIKH PLAN

But as a part of this constitutional settlement, it was laid down that the provinces of Punjab in the northwest and Bengal in the northeast would be further divided so as to take away from each such contiguous areas in which the non-Moslems were in a majority, so that the western part of Bengal was separated from Bengal and added to the Dominion of India, and the eastern part of Punjab was separated from Punjab and added to the Dominion of India, Pakistan continuing to comprise West Punjab on the western side and East Bengal on the eastern side.

The partition of Punjab was insisted upon not by the Moslems, naturally, and not even by the Hindus as such, but by the Sikhs. It was an incomprehensible demand to all of us. The Sikhs were the third community numerically in the Punjab. That the smallest of the three communities in a province should ask for division of the province, when it was inescapable that any kind of division that took place would divide that community also into two parts, was not

easily understandable. Hints were dropped during the partition proceedings as to what the Sikh plan was. Subsequent confidential reports from the government of the Punjab to the central government indicate what the Sikh plan, as it subsequently unfolded itself in actual practice, was.

#### II

During the last half of 1946 communal riots and massacres occurred at various places in India such as Bombay, Ahmedabad, Calcutta, Behar, Garhmukhteswar, Noakhali, etc. Neither side has been free from blame with respect to these occurrences but Calcutta—and, much more, Behar and Garhmukhteswar—disclosed well-laid and ruthlessly executed plans of extermination of Moslems in those areas. At Garhmukhteswar, which is a place on the banks of the river Ganges, the occasion was a Hindu festival—and the waters of the Ganges, held holy and sacred by Hinduism, were, on this occasion, deliberately defiled and polluted as a result of the ruthless barbarities of Hindu votaries upon the persons of the Moslems, who were there in order to assist at the celebration of these festivities, and whose countless corpses were thrown into the waters of the Ganges.

#### PROVOCATIVE SPEECHES

Up to then, the Punjab had been entirely free from communal strife. The first sign of strife that appeared was an announcement made by Master Tara Singh, a leader of the Sikh community, on February 28, 1947, from the steps of the Legislative Assembly in Lahore. He unsheathed his Kirpan—sword—waved it about and announced that the sword would now decide between the Sikhs and the Moslems. He said that the Sikhs were ready, that they had organized themselves for the struggle, and that there was no reason why they should confine themselves to East Punjab, but that they were determined to drive the Moslems across the Indus.

This was followed by equally fiery and provocative speeches delivered by Giani Kartar Singh and other Sikh leaders that evening and in the course of the following two or three days in Lahore.

In Multan, an almost wholly Moslem town in the southwest of the Punjab, at about the same time, on March 2 or 3, the local Sikh leader, Nanak Singh, in a fiery speech proclaimed that the Holi Festival that year—a sort of Hindu carnival which was approaching within two or three days—would be celebrated, not with red water—it is customary to sprinkle people with red water during

the festival—but with red blood, obviously meaning Moslem blood. The same day, or the next day, the students of the local Hindu college organized a procession and went through the streets of this predominantly, this overwhelmingly Moslem town, shouting "Quaid-i-Azam Murdabad". "Quaid-i-Azam" is the title which the Moslem community has conferred upon Mr. Mohammad Ali Jinnah, who is now the Governor-General of Pakistan. Mr. Jinnah is indisputably the acknowledged and the revered political leader of the Moslem community. "Quaid-i-Azam Murdabad" literally means "May Quaid-i-Azam die", but idiomatically, it means "Cursed be the Quaid-i-Azam".

### FEELINGS RUN HIGH

In Rawalpindi, a town in the northwest of Punjab, an overwhelmingly Moslem town, at about the same time, the Sikhs took out a procession with drawn swords, marched through the streets and attacked a car, the occupants of which were Moslems, killed one and wounded the others, and went on marching toward the Jumma Masjid, the largest mosque, in the middle of the town. Tales of these happenings in Multan and Rawalpindi were carried into the countryside, and, no doubt, lost nothing in the telling.

As I have explained, both these towns and the countryside around are predominantly and overwhelmingly Moslem. Feelings having already been excited to a high pitch by the speeches of the Sikh leaders, the Moslems imagined that the Sikhs had started their campaign to drive them across the Indus, Rawalpindi being about thirty or forty miles this side of the Indus, and there was a communal flare-up in which a large number of Sikhs were murdered and otherwise ill-treated, and their property was looted—a very deplorable state of affairs.

It makes no difference who commits aggression and who is the victim; wherever there is human suffering it should excite sympathy. There was one feature, which to a certain extent distinguished these occurrences from what subsequently happened in other parts of the Punjab, and that was that the situation was rapidly brought under control. Large-scale arrests of the miscreants who had taken part in these riots took place, and, as a matter of fact, a kind of counter-persecution of the Moslems by the police started.

The transfer of power actually took place on August 15, 1947. The two dominions were set up on that date. The boundary award was pronounced on August 18, 1947. Before the award was pronounced, the Sikh plan, which was based upon the partition, had begun to unfold itself, and the tragedy had started on its course. In East Punjab are the following Sikh States: Kapurthala, Faridkot, Nabha, Jind and Patiala. Around Delhi there are the Hindu States of Bharatpur, Alwar and Gwalior. All these States are in accession with the Union of India. Out of these, Kapurthala had a majority of Moslems in its population. In all the other states that I have mentioned, there was a considerable population of Moslems, but the Moslems were in the minority.

### CAMPAIGN OF GENOCIDE

In June 1947, a campaign for the extermination of Moslems was started in the States of Bharatpur and Alwar. This campaign spread later to Gwalior also. Men, women, and children were massacred in cold blood by State troops. This was not a communal flare-up. The armies of the Rulers massacred men, women and children in order to rid these States of the Moslem population. Houses belonging to the Moslems were destroyed, their crops burned. Those Moslems who escaped with their lives were driven out of the states to become

homeless wanderers and to die by the hundreds along the roads and in the fields. That was the beginning.

On August 1, the organized campaign of genocide, directed against the Moslem population in East Punjab, began under the auspices and leadership of His Highness the Maharajah of Patiala. This soon carried fire and sword throughout the Sikh states and the districts of East Punjab. Gruesome tragedies and horrors were enacted. I shall draw the attention of the Security Council to a brief report with regard to what happened in Patiala. This report appeared in a newspaper which is called "The People's Age." The issue I shall read from is dated September 27:

"Some estimates are that, during the six or seven weeks between August 1 and September 20, at least one hundred thousand members of the minority community"—that is to say, the Moslems—"were killed. Scores of thousands have fled the state; thousands of others have been driven out through other means. All their properties have come to the close relatives and supporters of the Ruler". This is a report not by a Moslem but by a Hindu.

The Moslem population of these states—in all these states, in Alwar, Bharatpur, Patiala, Nabha, Jind, Faridkot, Kapurthala—was entirely wiped out by this time, either by massacre or by forcible expulsion. As I have already said, Kapurthala had a majority of Moslems in the population—some 235,000. Today, there is not a single Moslem left in Kapurthala.

### WHAT NEUTRALS SAID

Let us now turn to East Punjab, that is, what was before August 15, the British part of these territories. The population of East Punjab, together with the population of those states that I have mentioned, included six million Moslems. There are today, at the outside, a few thousand left—in refugee camps, in terror of their lives—out of six million.

I have before me a brief account of what happened. The tragedy is of dimensions so vast that it would take not one afternoon, but several afternoons, to set out the details. However, the account which I am about to read will give some idea. It is an account that appeared in the *Times* of London, in its issue of August 25, from its special correspondent in the Punjab. In his despatch, he described the situation thus:

"A thousand times more horrible than anything we saw during the war" is the universal comment of experienced officers, British and Indian, on the present slaughter in the East Punjab. The Sikhs are on the war-path. They are clearing the Eastern Punjab of Moslems, butchering hundreds daily, forcing thousands to flee westward, burning Moslem villages and homesteads, in their frenzy, burning their own, too. This violence has been organized from the highest levels of Sikh leadership and it is being done systematically, sector by sector. Some large towns, like Amritsar and Jullundur, are now quiet because there are no Moslems left.

"The Sikhs attack scientifically. A first wave, armed with firearms, fires to bring the Moslems off their roofs. A second wave lobs grenades over the walls. In the ensuing confusion, a third wave goes in with kirpans and spears, and the serious killing begins. A last wave consists of older men, often army pensioners with long white beards, who carry torches and specialize in arson. Mounted outriders with kirpans cut down those trying to flee—

"Appalling atrocities have been committed. Bodies have been mutilated. None have been spared—men, women or children. In one village, out of fifty corpses, thirty were those of women. One Viceroy's commissioned officer found four babies roasted to death over a fire."

## IN THE CAPITAL

And this is what happened in Delhi, the capital of the Mogul Emperors, the nursery and home of Moslem culture in India, the capital of British India before power was transferred, the capital today of free India and the seat of India's Government.

The tragic drama of mass killing and looting in Delhi lasted for practically the whole of September 1947. It was an integral part of a deep-laid conspiracy for the extermination of Moslems, and the drama was mainly enacted by the Rashtriya Swayam Sewak Sangh, a terrorist organization of the Hindu Mahasalla, large Sikh gangs who were armed with modern weapons liberally supplied by certain Sikh states, the local police and military forces who had been purged of all Moslem members and into whose ranks workers of the Rashtriya Swayam Sewak Sangh had widely disseminated their hate propaganda against Moslems, and partly by a number of Congress leaders in India who, in their speeches and writings, made no secret of their sympathy for the Hindu and Sikh terrorist organizations and their antipathy toward the Moslems.

The *Yorkshire Post* carried the following despatch from its daily correspondent in its issue of September 6: "In Delhi today Moslems are terror-stricken. There is no escape for them into Pakistan by train, for railway travel for Moslems through East Punjab is fraught with the gravest risks because of the frequent holdups of trains by armed gangs of Sikhs and Hindus on the lookout for Moslem victims. In Delhi the most revolting crimes are committed almost daily against Moslems."

The New Delhi correspondent of the *Times* of London wrote on the same day: "No day passes without stabbing and shooting outrages of which Moslems are invariably the victims. There are frequent instances of houses occupied by Moslems being forcibly seized by Hindu and Sikh refugees."

## REFUGEES ALL

The *Yorkshire Post*, on September 29, wrote: "Even in Delhi, the seat of the Congress Government, where of all places order should be kept, thousands of Moslems stay in the misery of the refugee camps because they dare not return to their homes. No impartial observer can doubt that the massacre was begun by the violence of the Sikhs whom the Hindu Government could not or would not restrain."

The special correspondent of the *Times* of London on October 5, said: "This much is certain—that in spite of the eloquent appeals for tolerance by Mr. Gandhi, Pandit Nehru and other Indian leaders, the communal atmosphere is vitiated and noisome beyond description. If there is comparative peace in Delhi and other big centres today, it is a peace based upon an intolerance which has succeeded in killing or driving out the minority community almost to a man."

These are some of the accounts of neutral observers showing what happened in the capital itself. Five million refugees, in all stages of destitution, have been driven out of these areas, and are now dragging out their miserable existence in West Pakistan.

It is only fair to add that when these horrors started in East Punjab and Moslem refugees from East Punjab carried the proof of these horrors on their bodies and there evidence on their tongues into West Punjab, the Moslems in many places rose against the non-Moslems, and massacres, lootings, stabbings and burnings took place on a large scale.

In West Punjab, however, these deplorable events were characterized by two features. In the first place, reprisals started when tales of horror were

carried into West Punjab; in the second place, fortunately, the killings were not on such a large scale. This was because of two factors. First, the Moslems had no plan to massacre anybody. The uprising was the result of a provocation and was a sudden flare-up. Secondly, the Sikh withdrawal from West Punjab took place according to a plan. Therefore, the lives of many who might otherwise have been killed were fortunately saved.

## THE KASHMIR STATE

We now turn to the State of Kashmir itself. This state was purchased by the great grandfather of the present Ruler of Kashmir from the British East India Company in 1846 for 7,500,000 rupees, roughly, \$2,250,000.

The population of Kashmir is distributed communally as follows: In Kashmir proper (apart from Jammu state), 93.5 per cent of the people are Moslems. Sixty-two per cent of the people of Jammu state are Moslems. In the combined Jammu and Kashmir State, seventy-eight per cent of the people are Moslems. The total population is approximately 4,000,000. Gilgit which is the high mountain region in the northwest, a part of which borders on the Soviet Union, is entirely Moslem. The total area of the State which is largely composed of high mountains and barren hills is 82,000 square miles. The region is famous for its beauty. The people are similarly famous. Their high artistic talents are well known. What is not fully known is the depths of misery to which they have been reduced by a century of unmitigated tyranny and oppression under Dogra rule until it is difficult to say which is the greater tragedy for a Kashmiri: his life or his death. Death often comes as a release from an unbroken chain of suffering, misery and privation which begins in the cradle and ends only in the grave.

These downtrodden miserable specimens of humanity have in their desperation sometimes turned like the proverbial worm. Though constant grinding misery and unceasing oppression had almost succeeded in converting these once brave and highly artistic people into docile serfs, a thrill of admiration ran through the hearts of all lovers of liberty when, in their struggle to achieve a modicum of the most elementary of human rights and some slight easing of the constant burden of tyranny which was crushing them, they were mowed down by the bullets of State troops in their uprisings of 1931 and 1932 but refused to turn their backs and received those bullets on their bared breasts. The doom of Dogra Raj in Kashmir was in those days of tragedy and heroism sealed in Kashmiri blood.

## THE MAHARAJAH'S CHOICE

We now come to the events of last year. The constitutional settlement arrived at between the British and the Indians presented the Maharajah with a difficult choice. Geography, economics and the wishes and the sentiments of an overwhelming majority of his people pointed in one direction—that is to say, accession to Pakistan—and indications have not been wanting that he was at one time inclined to proceed in that direction.

Later, he appears to have become inclined in the other direction. But this presented a problem in regard to his people. As I have said, 78 per cent were Moslems. Having regard to his geographical position and the distribution of population in his state, he knew that it was certainly as much as his throne was worth if he made any movement in the direction of accession to India.

However, the other Hindu and Sikh States of the Punjab had solved this problem. For instance, Kapurthala had a majority of Moslems—but then all of them had been got rid of. That is how the question was solved in

Kapurthala. The Maharajah of Kashmir must have thought that in the case of Kashmir the killing of a few thousand of his Moslem subjects, the jailing of the leaders, and the expulsion of a million or so might sufficiently cow down the rest. And apparently that was the scheme that he adopted.

In the month of September, atrocities upon the Moslem population by the troops of the Maharajah started, particularly in that part of the State which is known as Poonch. But Poonch had this troublesome feature: that, on the best estimates, at least 70,000 Poonchis had served on the side of the United Nations in the last war, and therefore were not very easy to deal with.

### ORGY OF LOOT

Starting with occurrences in Jammu and Poonch, slowly the whole of the State was getting enveloped in an orgy of loot, murder and arson. On October 4 the inhabitants of several villages, including Jandala, Makhialkotli, Nawal Danna and Cheerala, were reported to have been burnt alive in their houses. It is estimated that hardly one per cent escaped from the carnage.

On October 5, the village of Saliaan was set on fire. The conflagration, which was visible from the Murree hills, continued raging until October 8. It was reported that Moslems of this village—men, women and children—were made to stand against a wall and were shot dead by a Sikh squad. Automatic weapons were freely used to annihilate them. Life became impossible for Moslems in this area and hundreds of Moslems from these and surrounding villages were compelled to leave their ancestral homes. When they reached Kohala bridge across the River Jhelum—the Jhelum at that place forms the boundary between Kashmir State and West Punjab—the Sikh soldiers assaulted and abducted the Moslem girls in the refugee caravan. Also, raids started across the border upon West Punjab villages from Kashmir State. Out of eighty-four villages in the police circle of Phookilan, which has suffered most, sixty-one villages along the border line had a mixed population of Dogras and Moslem kamins. Towards the end of September, the Dogra population migrated to Jammu; they carried with them all their belongings, adopting a scorched-earth policy with regard to the cultivated land.

After the evacuation of the non-Moslem population, these villages were attacked repeatedly, with the result that all the 61 villages along the border have been completely burnt by Dogra raiding parties from Jammu and there is now no sign of life in these villages. Standing crops have been destroyed and the residential houses so completely burnt that rehabilitation in this area is an impossibility. Over one hundred raids have so far been registered at the Phookilan police station, within whose jurisdiction these 61 border villages are situated. The residents of the border villages, who are all Moslems, have frequently been machine-gunned by Indian aircraft.

### THROUGH NEUTRAL EYES

Two Englishmen compiled a summary of the facts when they visited Jammu and Kashmir in November and interrogated Moslem refugees and officials of the State. It runs as follows:

"On the morning of November 5, it was announced by beat of drums in Jammu City, in the name of His Highness the Maharajah, that all Moslems must immediately leave the State and that, in fact, Pakistan had asked for them. They were instructed to assemble at the parade ground in Jammu. Conducted from there to the police lines, they were searched, deprived of most of their belongings and loaded on motor lorry convoys. They were told they would be sent to Suchetgarh, but instead the convoys

took the Kathua Road and halted at Mawa, where the passengers were told to get down.

"At Mawa, the lorry drivers, who were Sikhs and armed to the teeth, removed all the young women from the convoys and began to attack the remainder. The Kashmir State troops looked on indifferently while the mobs of Sikhs and Hindus were killing the Moslem refugees.

"Out of the four thousand Moslems, who had left Jammu, only nine hundred managed to reach Sialkot. It was in this attack that a daughter and a sister of Mr. Ghulam Abbas, President of the Kashmir Moslem Conference, were taken away by the attackers.

"A convoy of seventy trucks, containing most of the respectable Moslem families of Jammu City left for Suchetgarh on November 6. A few miles out of the city the trucks were halted and were attacked by armed Jathas of Sikhs and State troops and volunteers of the Rashtrya Swyam Sewak Sangh.

"During the beginning of October 1947, about fourteen thousand Moslems living in Sabha were besieged by armed Hindus and Sikhs, who cut off the rations and water supply of the villages. On October 22, Sambha village was visited by His Highness the Maharajah himself, and almost immediately after his visit all the Moslem women in the village were taken away by State troops, and the men were slaughtered with the exception of fifteen survivors, who escaped to Sialkot.

"About eight thousand Moslems assembled at the Bulla Tank near Kathua on October 20 after their request for protection had been ignored by the Sub-Divisional Magistrate of Kathua. After marching three miles towards the Pakistan border, they were encircled by Dogra troops and armed Sikh civilians, and all of them were slaughtered with the exception of forty persons, who managed to escape to Sialkot.

"On the instructions of the State Government about twenty-five thousand Moslems from Piran Sahib area collected at the Maogaon to be evacuated to Pakistan. But as they were doing so, their women and all their personal belongings were taken away from them by Dogra troops, and the rest made to stand in a line, whereupon they were riddled with machine-gun bullets. Only about two hundred men out of the total number of twenty-five thousand refugees managed to make their way to Pakistan, by hiding in fields during the day and travelling by night.

"About fifteen thousand Moslems were brought from the surrounding villages to Akhnoor Bridge on October 20. They were asked there to go to Pakistan on foot. Refusing to do so, they were killed by Rajput and Dogra soldiers. Only one hundred of them escaped, hiding in maize fields."

These foul deeds are still being perpetrated on innocent Moslems in the Poonch and Jammu Provinces and the number of Moslem refugees from the Kashmir State that have come to Pakistan for protection is now well over two hundred thousand.

### PAKISTAN STRIVES FOR SETTLEMENT

These are some of the happenings in the State, both before the State acceded to the Indian Union and after the accession of the State, as many of the dates are in November. The accession to India was on October 27 and the Indian Union troops were air dropped in Srinagar on October 27.

Pakistan has made many attempts to arrive at a settlement with and over Kashmir. When the trouble first arose, there were allegations of non-fulfillment of the agreement with regard to supplies from the Kashmir side. There were

allegations of raids into Pakistan territory and the massacre of Moslems inside the state, from the Pakistan side, and it was suggested that a representative of the Pakistan Government should go to Kashmir and discuss these matters on the spot with the Prime Minister of the State. As a matter of fact the Joint Secretary in the Foreign Office at Karachi, was despatched for the purpose. The courtesy shown to him when he arrived was that the Prime Minister refused to hold any discussion with him. That was the first attempt of Pakistan to settle matters by amicable adjustment. The second step followed a request, on October 15, by the Prime Minister of Kashmir for an impartial enquiry. We accepted at once and we telegraphed our acceptance, asking them to nominate their representative and stating that on hearing from them, we would nominate ours. We heard nothing more about it.

Our Governor-General then made a further suggestion. He suggested that the Prime Minister of Kashmir might come down to Karachi to discuss matters. This was turned down.

#### INDIAN TROOPS

After the so-called accession of Kashmir to India which took place on October 27 the Government of India troops landed in Kashmir. The Security Council is aware that Kashmir had concluded a standstill agreement with Pakistan. There was a standstill agreement which existed between Pakistan and the Government of India. And yet there was no intimation either from the Government of Kashmir or from the Government of India to the Pakistan Government that Kashmir was acceding to India. The Government of India now makes a complaint that Pakistan should have joined them in settling the problem. However, by their own action the Government of India put any kind of joint action or settlement out of the question.

It was then suggested by us that a conference should take place at Lahore, where the Governor-General of Pakistan and the Prime Minister of Pakistan both then were—and they were both ill—to which the Governor-General of India, Lord Mountbatten, and the Prime Minister of India, Pandit Jawaharlal Nehru, together with the representatives of Kashmir, should be parties.

The first suggested date for this conference was October 29, but on that date Pandit Jawaharlal Nehru was not well enough to be able to travel from Delhi to Lahore. It was therefore postponed to November 1, at which time it was hoped that all six—the three Prime Ministers, the two Governors-General, and the Maharajah of Kashmir—would be able to attend.

#### YET ANOTHER ATTEMPT

On November 1 Pandit Jawaharlal Nehru was still unable to attend, but Lord Mountbatten came to Lahore. There was a discussion.

The upshot of the discussion was that the Governor-General of Pakistan made the following proposals to the Governor-General of India for the acceptance of the India Dominion:

(1) To put an immediate stop to fighting, the two Governors-General should be authorized and vested with full powers by both Dominion Governments to issue a proclamation forthwith, giving forty-eight hours' notice to the two opposing forces to cease fire. The Governor-General of Pakistan has no control over the forces of the Provisional Government of Kashmir or the tribesmen engaged in the fighting, but he will warn them in the clearest terms that if they do not obey the order to cease fire immediately, the forces of both dominions will make war on them;

(2) Both the forces of India Dominion and the tribesmen to withdraw

simultaneously and with the utmost expedition from Jammu and Kashmir State territory;

(3) With the sanction of the two Dominion Governments, the two Governors-General to be given full powers to restore peace, undertake the administration of Jammu and Kashmir State, and arrange for a plebiscite without delay under their joint control and supervision.

This was the proposal put forward on behalf of Pakistan. Lord Mountbatten was requested to place it immediately before the Dominion of India and to get their acceptance. The Governor-General of Pakistan undertook to do likewise. The Governor-General of Pakistan is still awaiting a reply from the Governor-General of India.

This was the fourth attempt to settle the matter by negotiation, and every one of these attempts was made by Pakistan.

#### THEIR CONDITIONS

On November 1947, the Prime Minister of Pakistan addressed another telegram to the Prime Minister of India: "If I had been fit enough to travel, I should have come to Delhi, but unfortunately I am still confined to bed. I therefore invite you to come to Lahore at an early date convenient to you for a discussion of outstanding questions and hope that you will be able to accept this invitation".

In reply, there was a long telegram from the Prime Minister of India, but this point is dealt with in the following two paragraphs:

"Sheikh Mohammed Abdulla is at present the head of the Kashmir Administration, and anything relating to Kashmir must necessarily have his approval and consent."

"Our meeting, I hope, would be helpful, but it can only bear results when all raiders have been driven out of Kashmir and the Pakistan Government has declared its firm policy to the exclusion of these raiders away from Kashmir".

Again I appeal to the Security Council. The Prime Minister of Pakistan makes this fifth attempt to come to some settlement, and invites the Prime Minister of India to Lahore so that together they might be able to find a way out. The Prime Minister of India lays down two conditions. One condition is that in order to determine what shall be done to get rid of the so-called raiders from Kashmir, "You must first get rid of them before we will talk of how to get rid of them". The other is that in order to decide how a free plebiscite shall be held in Kashmir to ascertain and determine whether the view of Sheikh Mohamed Abdulla, that is to say, of the National Conference, shall prevail, or that of the Moslem Conference, "You must first accept Sheikh Mohamed Abdulla as the head of the administration".

#### SUGGESTED APPEAL TO U.N.O.

Thereafter, the Prime Minister of Pakistan sent a telegram to the Prime Minister of India on November 16. The telegram said, "The fundamental principle of the Charter of the United Nations is to prevent might prevailing over right. The whole dispute should, therefore, be brought before the bar of international opinion. We are ready to request the U.N.O. immediately to appoint its representative in the Jammu and Kashmir State in order to put a stop to fighting and repression of Moslems in the State, to arrange the programme of withdrawal of outside forces, set up an impartial administration of the State until a plebiscite is held, and undertake the plebiscite under its direction and control, for the purpose of ascertaining the free and unfettered will of the people of the State on the question of accession".

In reply to this, the Prime Minister of India said in his telegram of November 21: "Since the United Nations have no forces at their disposal, we do not see how they can put a stop to fighting or to alleged repression of Moslems."

#### THEIR ALLEGATIONS

I now come to some of the specific allegations that have been made in the statement filed on behalf of India the day before yesterday with regard to Pakistan's alleged complicity in the situation in Kashmir. The representative of India starts with the allegation that pressure was applied on behalf of Pakistan against Kashmir, to induce Kashmir to accede to Pakistan. The pressure is suggested as having been applied in the form of stoppage of supplies which should have gone on normally under the existing agreement.

I have already explained what the conditions were in East Punjab and West Punjab during that period. Practically no traffic was moving between the two territories. None could move. There was so much killing going on. The only traffic was that of refugees and they, sometimes even when under military escort, were being massacred. It was not only Kashmir that was suffering from lack of supplies; West Punjab itself was suffering from lack of supplies.

The railways in Western Pakistan were experiencing great difficulty in maintaining services, owing to lack of coal. Even behind their frontiers, where the question of refugees and killings and massacres was not acute. Coal had to come from the Dominion of India. The Dominion of India was experiencing difficulties in the matter of supply of coal to Pakistan, and Pakistan, consequently, was experiencing difficulties in running its railways and other communications.

Then there was a third factor. Dogra troops were killing Moslems inside the State of Kashmir, and Moslem lorry-drivers of vehicles that would normally have carried these supplies from Rawalpindi into Kashmir refused to move even in respect of such supplies as were available inside West Punjab, unless military escort was provided. It was repeatedly explained to the Kashmir authorities that the West Punjab Government, having regard to much more urgent calls upon them, were unable to supply military escort for these lorries.

#### "CAPTURED VEHICLES"

Further accusations are made with regard to the specific matter of incursions into Kashmir itself, and it has been said that the Pakistan Government is guilty, on the evidence which has been instanced and which, it is said, is in the possession of the Government of India. For instance, the Indian statement says, "Captured vehicles have Pakistan number plates on them". The number plates merely mean that the vehicles were registered in Pakistan, not that the Government of Pakistan employed those vehicles for some nefarious purpose. Surely there is a wide gulf between a vehicle or several vehicles bearing Pakistan number plates being in Kashmir, where ordinarily they would be in large numbers in any case and the Pakistan Government's being responsible for having employed them for some nefarious purpose against the Government of Kashmir.

The representative of India said that somebody observed that petrol was supplied at Pakistan pumps, without coupons or payment, to lorries carrying tribesmen. All that is meant and that could be meant by "Pakistan pumps" is petrol pumps in Pakistan territory. The distribution of petrol throughout Pakistan and India is arranged by the oil companies themselves under their own organization. There is no Government organization for the distribution of petrol. That is point number one.

When it is said, "without coupons", that in itself is an admission that the Government was not authorizing the issuance of this petrol. If the Government had authorized the issue of petrol, it would have issued coupons for it. When it is said that petrol is being issued without coupons, that means that either the companies or the managers of the pumps were doing something illegal in the nature of black market activities, or if the petrol was really issued without payment, they were doing something out of their sympathy for this movement. Even if the allegation is taken at its worst—and one does not know whether the allegation is correct or incorrect in itself—they were doing something illegal in order to help this movement. If it were said that some Governmental department had issued coupons in order to provide petrol for these vehicles, there would be some responsibility to be laid upon somebody.

#### TRIBESMEN AND THEIR ARMS

It is then said that these people have arms of various descriptions and that those arms could only have come from the Pakistan Government. In the first place, anyone who is familiar with conditions on the northwest frontier of India will certainly know that these independent tribes have always been in the habit of accumulating quite large stores of arms by all sorts of means, legitimate as well as illegitimate. As a matter of fact, guns, rifles, etc., are manufactured by them. It is a saying all along the frontier that no young tribesman can obtain a bride unless he has obtained a first-class rifle and can prove himself to be an expert in its use. So far as the Pakistan Government is concerned, the Government of India itself is the witness of how many military stores it has so far, under the settlement, handed over to the Pakistan Government so that the Pakistan Government, out of its surplus, could supply these stores for use by these people! A matter of fact, one of the matters to which attention has been invited by the Pakistan Government in its representation to the Security Council is the failure of the Government of India to hand over to the Pakistan Government its due share of military stores!

It is further said that these people who originally were without greatcoats and uniforms now have them and other similar things. Of the people fighting within the Kashmir territory, sixty thousand to seventy thousand in Poonch alone had been fighting in the forces of the United Nations and upon their demobilization were permitted to retain their uniforms and their badges. That in itself is a good enough explanation, but since the end of the last war, all sorts of military stores, arms and ammunition, are floating about loose. These supplies are not difficult to obtain. Quite large quantities of this type of clothing and equipment have been legitimately disposed of and are being disposed of by the disposal department of the Government of India itself.

It is said that camps for giving training in the use of small arms and elementary tactics have been established on the Pakistan border to train, if you please, these independent tribesmen. I would again invite the attention of the representative of India to the fact, which he can ascertain from any British military officer who has served on the frontier, that the tribesmen stand in no need of training in the use of small arms and in military tactics. If that had not been so, one of the biggest headaches which had always troubled the British administration in India would not have arisen. These tribesmen have never stood in need of training in the use of arms. They manufacture arms, and they start playing with them as children.

#### THEIR DENIALS

The representative of India then stated further that the Prime Minister

of Kashmir has categorically challenged the correctness of the allegations made against him. What does he deny? The first allegation is that we offered to send and did send a representative of the Foreign Office to discuss matters with him, their grievances over supplies, our grievances over the raiding that was taking place. He declined to discuss the matter with our representative. Has he denied this?

What does he deny? Our allegation is that he asked for an impartial enquiry, told us that unless we gave heed to his demand for an impartial enquiry he would call outside assistance. We agreed to the impartial enquiry, but he did not proceed with it.

What does he deny? Does he deny that he made a demand for an impartial enquiry? Does he deny that we accepted his demand? Does he deny that he has refused to proceed with it? What does he deny?

The third allegation we make is that these two efforts having failed, we invited him to come down to Karachi to discuss matters so that we might find an amicable way out of the situation. He did not come. What does he deny? Does he deny that we asked him, or does he assert that he came? What are the allegations that we make against him which he "categorically" denies?

#### "PEACE OF THE GRAVE"

Then we are assured, "Our only interest is to see peace restored in Kashmir". Yes, but what kind of peace? So far as the Moslems are concerned, your interest, no doubt, is to restore the kind of peace you have restored in East Punjab. Your object, no doubt, is to restore in Kashmir State the kind of peace that prevails in other Indian states in East Punjab and the neighboring area, which are in accession with you.

To the Moslems that means the peace of the grave; that is the peace of annihilation; that is the peace of banishment. Are you surprised that your definition of peace should not be acceptable to the Moslems? They are not attracted by the kind of peace that you want to restore.

#### III

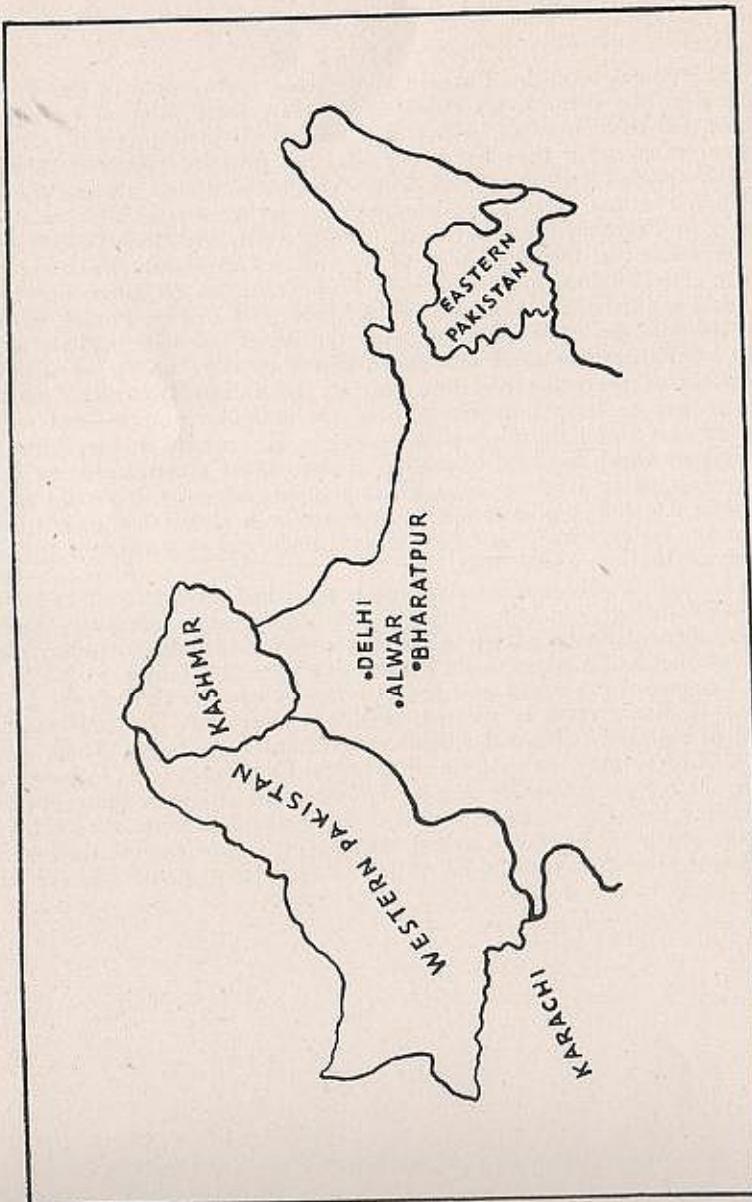
The question is: How is this situation to be met? It can be met only in one way. When the people of Kashmir—when I say the people of Kashmir I mean the Moslems of Kashmir because the Hindus, the non-Moslems, are, at the moment, in no danger of being persecuted—are convinced that there is no further apprehension of their being dealt with in the manner in which their

co-religionists have been dealt with in the other States—Kapurthala, Faridkot, Jind, Nabha, Patiala, Bharatpur, Alwar and Gwalior—and there is no further pressure upon them of any kind, they will be in a position to express their wishes as to accession to India or Pakistan.

#### THEY MUST GO

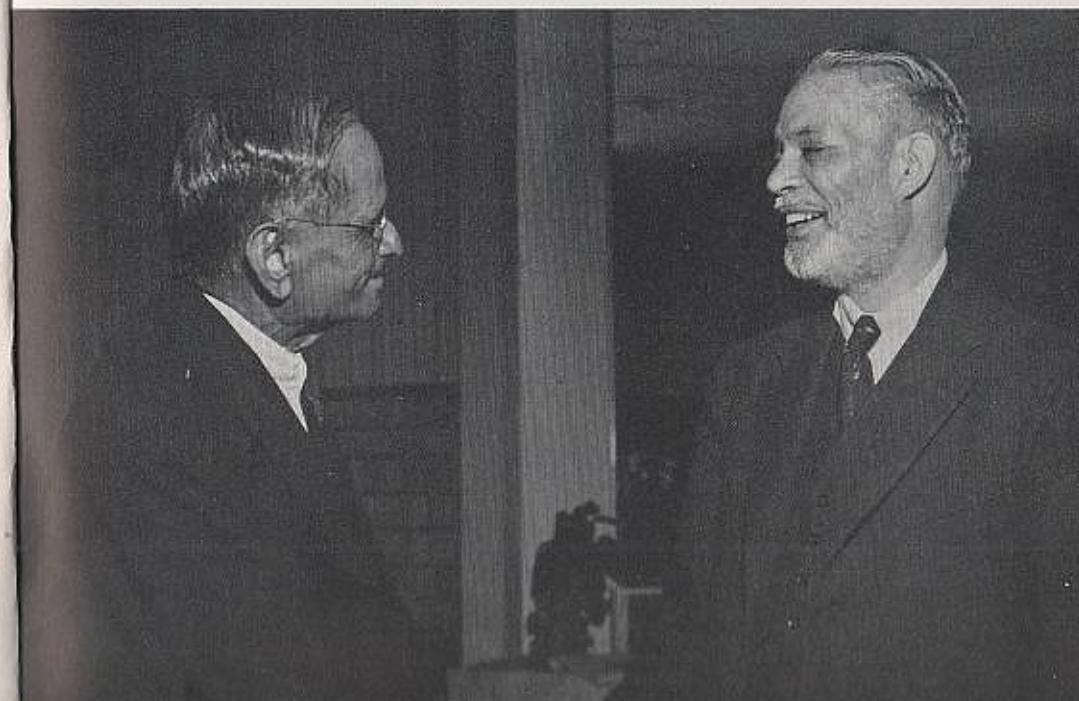
The efforts made by Pakistan show what the attitude of the Pakistan Government has been. Every effort, every offer, every proposal toward that direction has come from us. We still adhere to all those proposals. All that we want to ensure is this: Every one who has gone into Kashmir should go out—Sikh bands, Rashtriya Sevak Sangh volunteers, Indian troops, tribesmen men from Pakistan, if any, Moslems who are Indian nationals and who were refugees in Pakistan, everybody. All must get out, including Indian troops. The mere fact that they are troops of the Indian Government, from the point of view of reassurance to the people of Kashmir, makes no difference. No, it does make a difference. It makes this difference: that in East Punjab, in many parts, the Moslems were able to organize themselves and withstand the attacks of the infuriated Sikh mobs and gangs. But they were unable to withstand the attacks of the police and the army of the Indian Dominion, and they therefore had to leave their villages and get out. Our fear is—and we are convinced that fear is justified—that under the aegis of the Indian Army, the grim tragedy which has been enacted in so many other places, including Delhi, will be enacted in Kashmir also. There is no reason why it should not be enacted in Kashmir also. There is no reason why it should not be enacted in that remote valley, when it has been enacted under the very noses of the Government of India in Delhi itself.

Therefore, by whatever means it may be possible, the condition to be brought about is this: whether by joint administration under the two Governors-General, by occupation of predominantly Moslem areas in Kashmir by Moslem troops from Pakistan and predominantly non-Moslem areas by Indian troops, by inviting Commonwealth forces, non-Indian forces or whether through the United Nations—Kashmir must be cleared. Fighting must stop. Kashmir must be cleared of everybody. Normal administration must be restored. There should be no kind of pressure, either from the Moslem Conference being in power and holding the reins of administration or the National Conference being in power and holding the reins of administration. No kind of pressure should be put upon the people. The people should then be invited to express their wishes regarding the way they want to go, to India or to Pakistan, and whatever they decide should be accepted.



SIR MOHAMMAD ZAFRULLAH KHAN talking to the BELGIAN and SYRIAN DELEGATES. To his immediate right is His EXCELLENCY M.A.H. ISPAHANI, PAKISTAN'S AMBASSADOR in WASHINGTON.

Below—SIR MOHAMMAD ZAFRULLAH KHAN talking to Mr. GOPALAWAMI AYYANGAR, INDIA'S DELEGATE.





SIR MOHAMMAD ZAFRULLAH KHAN  
addressing the SECURITY COUNCIL